



GP 1615  
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Docket No. J&J-2047  
TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Susan Niemiec et al.  
Serial No. : 09/939,885  
Filed : August 27, 2001  
Title : COMPOSITIONS FOR APPLICATION TO THE SKIN OR HAIR  
Art Unit : 1615  
Examiner : Gollamudi S. Kishore

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231 on

September 26, 2002

(Date of Deposit)

William E. McGowan

(Name of applicant, assignee, or Registered Representative)



(Signature)

September 26, 2002

(Date of Signature)

Honorable Commissioner of Patents  
Washington, D.C. 20231

RESPONSE TO RESTRICTION

Dear Sir:

In response to the Office Action of August 27, 2002 requesting restriction between Group I (claims 1-13) and Group II (claims 14-23), Applicants hereby provisionally elect Group I with traverse. M.P.E.P. § 803 states that the two criteria for a proper requirement for restriction between patentably distinct inventions are 1) the inventions must be independent or distinct as claimed, and (2) there must be a serious burden on the Examiner if restriction is not required. Here, the Examiner has not shown that there would be a serious burden if restriction were not required. Accordingly, Applicants respectfully request the restriction requirement be withdrawn, and all pending claims be examined. Applicants await an action on the merits.

#5  
B109S  
10-9-02

Serial No. 09/939,885

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

By:



William E. McGowan

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Dated: September 26, 2002